

STANDARD APPLICATION  
**Harford County**  
**Board of Appeals**

Bel Air, Maryland 21014

JUN 23 2004

Case No. 5432  
Date Filed 6-21-04  
Hearing Date \_\_\_\_\_  
Receipt \_\_\_\_\_  
Fee \$50

Shaded Areas for Office Use Only

Type of Application

Nature of Request and Section(s) of Code \_\_\_\_\_

CASE 5432 MAP 61 TYPE Variance

- ☐ Administrative Decision/Interpretation  
☐ Special Exception  
☐ Use Variance  
☐ Change/Extension of Non-Conforming Use  
☐ Minor Area Variance  
☐ Area Variance  
☐ Variance from Requirements of the Code  
☐ Zoning Map/Drafting Correction

ELECTION DISTRICT 1 LOCATION 3200 Woodspring Drive, Abingdon, Md. 21009

BY Joseph and Jeanette Lewellyn

Appealed because a variance pursuant to Section 267-36B, Table V of the Harford County Code to allow a sunroom within the required 40 foot rear yard setback (proposed 33 foot) in a R2/COS District requires approval by the Board.

**NOTE:** A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name Lewellyn, Joseph Phone Number 410-515-0058  
Address 3200 Woodspring Dr. Abingdon MD 21009-1052  
Street Number Street City State Zip Code

Co-Applicant Lewellyn, Jeanette Phone Number 410-515-0058  
Address 3200 Woodspring Dr. Abingdon MD 21009-1052  
Street Number Street City State Zip Code

Contract Purchaser Owner Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
Street Number Street City State Zip Code

Attorney/Representative \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
Street Number Street City State Zip Code

## Land Description

Address and Location of Property 3200 Woodspring Dr. Abingdon Md. 21009-1052

Subdivision Lou Mar

Lot Number 15

Acreage/Lot Size 5,850 SF Election District 01

Zoning R-2 / COS

Tax Map No. 61 Grid No. 1F Parcel 424 Water/Sewer: Private \_\_\_\_\_ Public ✓

List ALL structures on property and current use: Townhouse End unit.

Estimated time required to present case: 15 min.

If this Appeal is in reference to a Building Permit, state number \_\_\_\_\_

Would approval of this petition violate the covenants and restrictions for your property? No

Is this property located within the County's Chesapeake Bay Critical Area? Yes \_\_\_\_\_ No ✓

If so, what is the Critical Area Land Use designations: \_\_\_\_\_

Is this request the result of a zoning enforcement investigation? Yes \_\_\_\_\_ No ✓

Is this request within one (1) mile of any incorporated town limits? Yes \_\_\_\_\_ No ☒

## Request

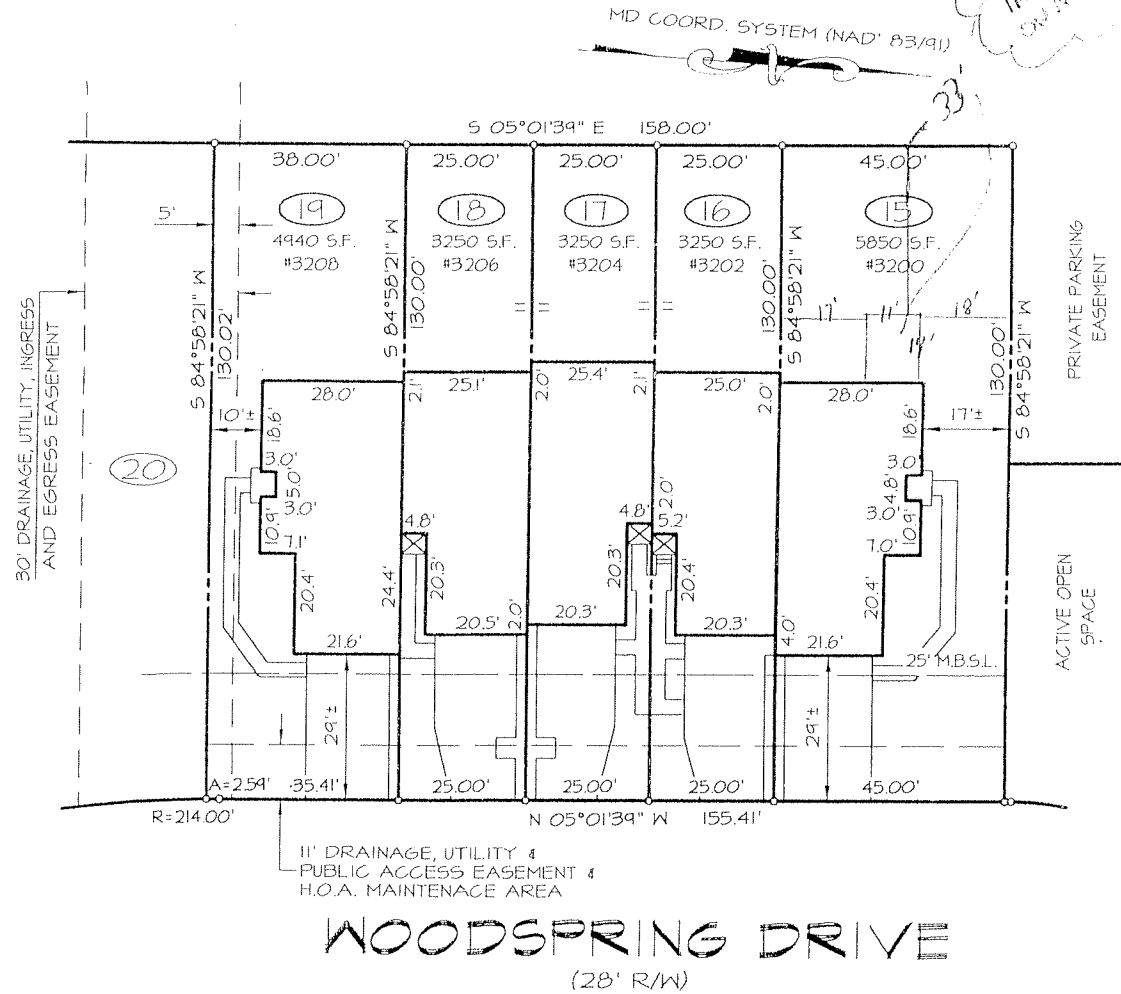
To build a Patio Room 11'x14' on the rear of our house  
This Room would only have a 33 ft to the rear prop. line  
we need 40 so we are asking for a 7 ft Variance

## Justification

- ① Our Lot is only 130ft deep. out of the 85 Lots on Woodspring Dr all but 17 have deeper Lots the 17 short Lot's Back to the Giant Store property. this is our special featur.
- ② the back of the house is the only place we can build the room
- ③ 3216 Woodspring Dr was granted a 8ft variance for a patio Room in April Case # 5400

*If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)*

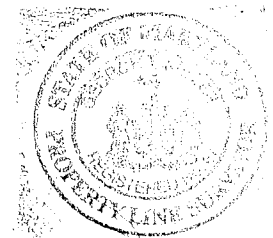
FLOOD NOTE:  
THIS IS TO CERTIFY THAT THE LAND SHOWN HEREON IS  
NOT WITHIN THE FLOOD ZONES AS SHOWN ON THE FLOOD  
INSURANCE RATE MAPS AS PUBLISHED JANUARY 7, 2000.



#### ACCURACY LIMITATIONS

LOT BOUNDARY - AS CALLED  
BUILDING DIMENSIONS -  $\pm 0.2'$   
BUILDING TO BOUNDARY LINE -  $\pm 1'$

- THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY, INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR RE-FINANCING;
- THIS PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS; AND
- THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR RE-FINANCING.



**MORRIS & RITCHIE ASSOCIATES, INC.**  
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, & LANDSCAPE ARCHITECTS  
3445-A Box Hill Corporate Center Drive  
Abingdon, Maryland 21009  
(410) 515-9000  
Fax: (410) 515-4002

LOCATION DRAWING  
LOTS 15-19  
FINAL PLAT TWO  
**LOU MAR**  
C.G.H. 107 FOLIO 58  
FIRST ELECTION DISTRICT HARFORD COUNTY, MD  
FOR: RYLAND HOMES

SCALE: 1"=30' DATE: JULY 31, 2003 DRAWN BY: PKB DESIGN BY: REVIEW BY: 6TK JOB NO. 12438



**PROPERTY MANAGEMENT, INC.**

*MANAGERS OF CONDOMINIUMS, HOMEOWNER  
ASSOCIATIONS, & COMMUNITY ASSOCIATIONS*

June 14, 2004

Joseph and Jeanette Lewellyn  
3200 Woodspring Drive  
Abingdon, MD 21009

Subject: Sedberry Homeowners Association,  
Inc.; Architectural Submittal:  
Sunroom

Dear Mr. and Mrs. Lewellyn:

The Architectural Review Board has approved your plans as submitted for a sunroom. Please note any and all County approvals and permits are the responsibility of the homeowner.

I hope that your new addition affords you many years of enjoyment. Should you require any further information concerning this matter, please do not hesitate to contact me.

Very truly yours,

MRA Property Management

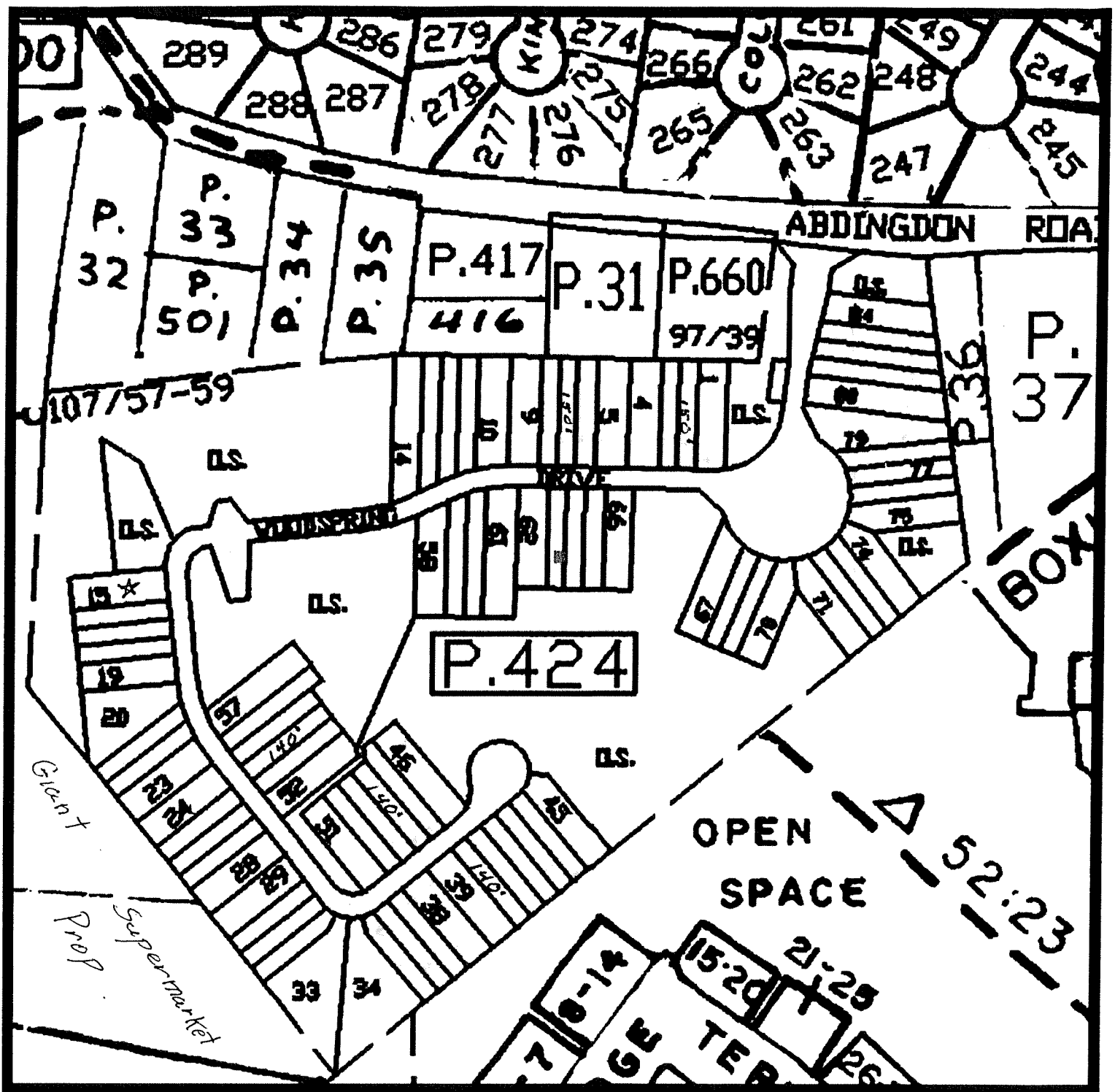
A handwritten signature in black ink, appearing to read "Frederick Traut III", is written over the printed name.

Frederick Traut III, Property Manager  
Agent for Sedberry

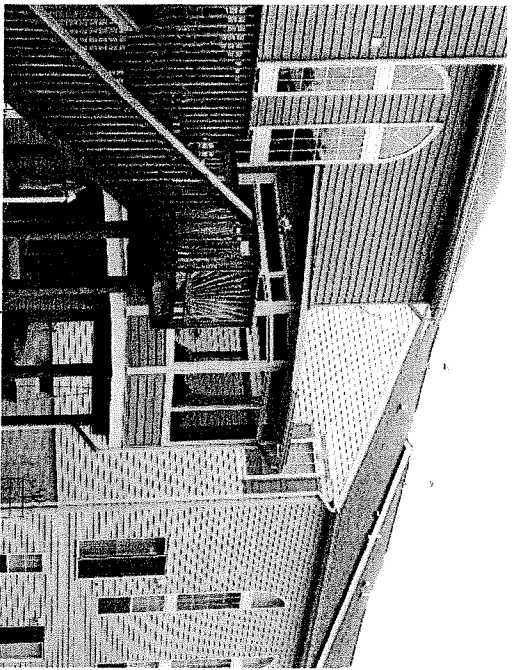
FGT/plh

cc: Board File  
Architectural Review File

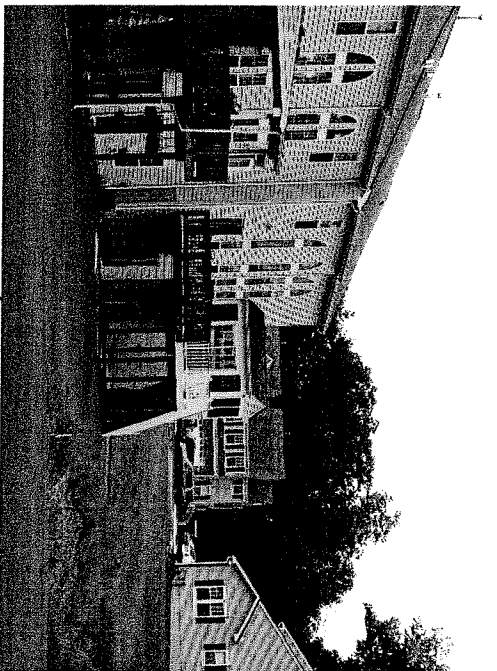




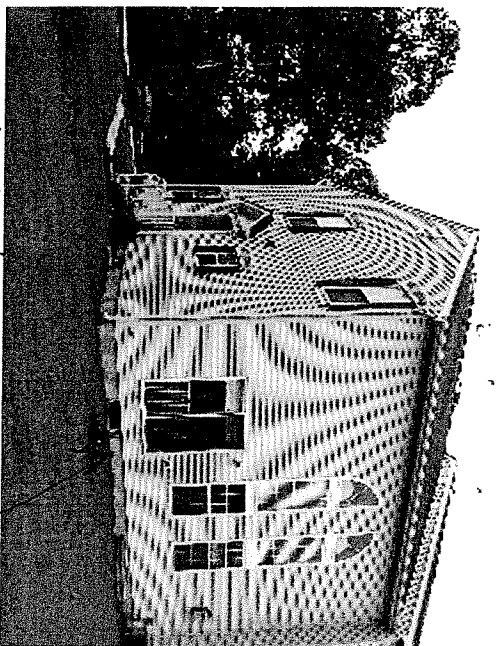
Lot #15 is 3200 Woodspring Drive. This is the prop.  
 we are asking the 7ft. Variance for



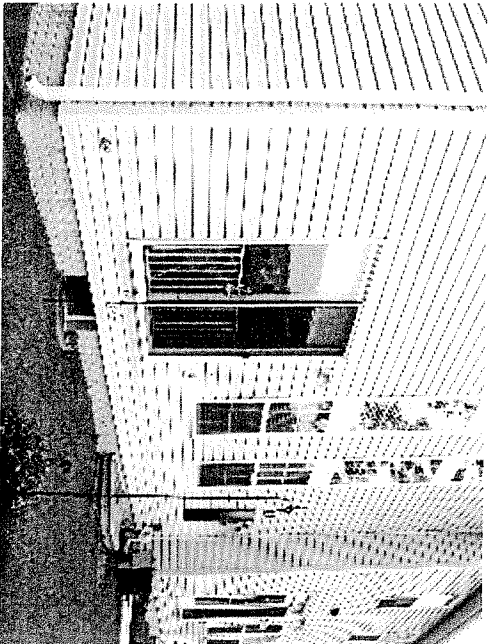
3117 Woodspring Dr  
Ext. Room



3107 Woodspring Dr.  
Ext. Room



3200 Woodspring Dr  
Location of Proposed  
Patio Room 11'x14'



3200 Woodspring Dr  
Location of Proposed  
Patio Room

**JAMES M. HARKINS**  
HARFORD COUNTY EXECUTIVE

**JOHN J. O'NEILL, JR.**  
DIRECTOR OF ADMINISTRATION

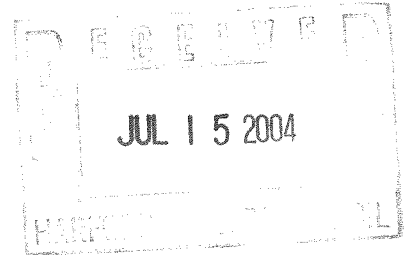


**J. STEVEN KAH-ZIEGLER**  
DIRECTOR OF PLANNING & ZONING

## HARFORD COUNTY GOVERNMENT

### Department of Planning and Zoning

July 14, 2004



### STAFF REPORT

#### BOARD OF APPEALS CASE NO. 5432

APPLICANT/OWNER: Joseph Lewellyn  
3200 Woodspring Drive, Abingdon, Maryland 21009-1052

Co-APPLICANT/OWNER: Jeanette Lewellyn  
3200 Woodspring Drive, Abingdon, Maryland 21009-1052

REPRESENTATIVE: Applicants

LOCATION: 3200 Wood Spring Drive – Lou Mar subdivision  
Tax Map: 61 / Grid: 1F / Parcel: 424 / Lot: 15  
Election District: First (1)

ACREAGE: 5,850 square feet  
0.134 of an acre

ZONING: R2/Urban Residential/Conventional with Open Space District  
(R2/URD/COS)

DATE FILED: June 21, 2004

HEARING DATE: August 4, 2004

*Preserving our values, protecting our future*

MY DIRECT PHONE NUMBER IS (410) 638-3103

220 SOUTH MAIN STREET BEL AIR, MARYLAND 21014 410-638-3000 • 410-879-2000 • TTY 410-638-3086 • [www.co.ha.md.us](http://www.co.ha.md.us)

*This document is available in alternative format upon request.*

## STAFF REPORT

Board of Appeals Case Number 5432

Joseph & Jeanette Lewellyn

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### **APPLICANTS' REQUEST and JUSTIFICATION:**

#### Request:

"To build a patio room 11' x 14' feet on the rear of our house. This room would only have a 33 ft. to the rear prop. line. We need 40 so we are asking for a 7 ft. variance."

#### Justification:

1. "Our lot is only 130 ft. deep. Out of the 85 lots on Woodspring Dr. all but 17 have deeper lots. The 17 short lots back to the Giant store property. This is our special feature."
2. "The back of the house is the only place we can build the room."
3. "3216 Woodspring Dr. was granted a 8 ft. variance for a patio room in April Case # 5400."

### **CODE REQUIREMENTS:**

The Applicants are requesting a variance pursuant to Section 267-36B, Table V, of the Harford County Code to allow a sunroom within the required 40 foot rear yard setback (33 foot proposed) in an R2/COS District.

Enclosed with the report is a copy of Section 267-36B, Table V, of the Harford County Code (Attachment 1).

### **LAND USE and ZONING ANALYSIS:**

#### Land Use – Master Plan:

The subject property is located to the east of Emmorton Road (MD Route 924) off of the southwest side of Abingdon Road in the development of Lou Mar. The lot is situated on the west side of Woodspring Drive. A location map and a copy of the Applicants' site plan are enclosed with the report (Attachments 2 and 3).

The subject property is located within the Development Envelope. This area of the County contains a mix of Low, Medium and High Intensities. The Natural Features Map reflects stream buffer systems. The subject property is located within the Medium Intensity designation, which is defined by the 1996 Master Plan as:

**Medium Intensity** - Areas within the Development Envelope where residential development is the primary land use. Density ranges from 3.5 to 7.0 dwelling units per acre. Grocery stores, and other commercial uses are examples of some of the more intensive uses associated with this designation.



## STAFF REPORT

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Joseph & Jeanette Lewellyn

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Enclosed with the report are copies of portions of the 1996 Land Use Map and the Natural Features Map (Attachments 4 and 5).

### Land Use – Existing:

The existing land uses in this area of the County conform to the overall intent of the 1996 Master Plan. The area has a mix of residential and commercial uses. Residential uses include single-family dwellings, townhouses, cluster homes, apartments and condominiums. Commercial activity includes individual retail uses, shopping centers, personal and professional services, restaurants, motor vehicle sales and service and related uses. Enclosed with the report is a copy of the aerial photograph (Attachment 6).

The lot is approximately 5,850 square feet in size and is rectangular in shape. The lot slopes gently up from the road to the front of the house and then levels off to the rear of the lot. The improvements consist of a two-story brick and frame townhouse with an attached two-car garage and doublewide concrete driveway/parking pad. The land to the rear of the lot slopes up to the grocery store (Giant) to the rear. The dwelling has a side entrance and sliding glass doors on the rear that are approximately two feet off the ground. To the right of the subject dwelling is a graded area of open space and a small wooded area. Enclosed with the report is a topography map, an enlargement of the aerial photograph and site photographs (Attachments 7, 8 and 9).

### Zoning:

The zoning classifications conform to the overall intent of the 1996 Master Plan as well as the existing land uses. Residential zoning includes R2, R3 and R4/Urban Residential Districts. Commercial zoning includes B2/Community Business, B3/General Business and CI/Commercial Industrial Districts. The subject property is zoned R2/Urban Residential District as shown on the enclosed copy of the zoning map (Attachment 10).

### SUMMARY:

The Applicants are requesting a variance pursuant to Section 267-36B, Table V, of the Harford County Code to allow a sunroom within the required 40 foot rear yard setback (33 foot proposed) in an R2/COS District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the Applicants must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Department finds that the subject property is unique. The lot backs up to the Giant grocery store. The area behind the Applicants' property is utilized as a driveway and parking area for the

STAFF REPORT

Board of Appeals Case Number 5432

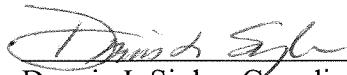
Joseph & Jeanette Lewellyn

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store. The lot sits substantially below the elevation of the grocery store. The area to the side of the Applicants' lot is recorded as active open space and a parking easement for the adjacent store (Attachment 11). The request, if approved, will not adversely impact the adjacent properties or the intent of the Code.

**RECOMMENDATION and/or SUGGESTED CONDITIONS:**

The Department of Planning and Zoning recommends that the request be approved subject to the Applicants obtaining all necessary permits and inspection for the sunroom.



Dennis J. Sigler, Coordinator  
Zoning & Board of Appeals Review



Anthony S. McClune, AICP  
Deputy Director, Planning and Zoning

DJS/ASM/ka